IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Natsuhiko MORI et al

Serial No.: 09/320,649

Filed: May 27, 1999

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

RENEWED PETITION UNDER 37 C.F.R. 1.137(b)

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

June 2, 2008

Atty. Docket No.: 100725-09009

Sir:

In response to the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. 1.137(b) dated March 31, 2008, Applicants respectfully request that the Examiner reconsider his decision dismissing the Petition to Revive based upon unintentional abandonment in view of the attached materials and the following remarks.

It should be noted that contrary to the statement in the last full paragraph on page 1 of the Decision, the undersigned did in fact make the statement that the entire delay was unintentional in the Petition filed January 8, 2008.

The facts to support petitioner's statement that the abandonment was unintentional are as follows:

- 1. A Request for Continued Examination and Information Disclosure Statement were filed on March 23, 2001, in response to the outstanding final Office Action dated November 30, 2000.
- 2. On or about May 22, 2001, the undersigned submitted by e-mail a spreadsheet listing all cases which were to be associated with Customer Number 004372 and in which the undersigned's address was to be changed. Attached as Exhibit A is page 8 of this spreadsheet where the subject application is listed. The undersigned's new address and Customer Number Record change was of record under Customer Number 004372 as of January 31,

- 2001, a copy of the Notice of Customer Number Record Change is attached as Exhibit B.
- 3. Receiving no response or further action from the Patent and Trademark Office in response to Item #1 above, on August 9, 2005, a Change of Correspondence Address was filed via facsimile. Attached hereto as Exhibit C is a copy of the Change of Correspondence Address with facsimile transmission sheet and the transmission acknowledgement sheet.
- 4. Further on August 10, 2005, a Request for Status and Information Disclosure Statement were filed. Attached hereto as Exhibit D is a copy of the Request for Status and Information Disclosure Statement along with a copy of the stamped postcard receipt.
- 5. Still receiving no response or action from the Patent and Trademark Office in response to either #1 or #4 above, a Petition to Withdraw the Holding of Abandonment with Exhibits was filed on October 23, 2006. Attached as Exhibit E is copy of the Petition to Withdraw the Holding of Abandonment along with a copy of the stamped postcard receipt.
- 6. Still not receiving a response or action from the Patent and Trademark Office in response to either #1, #4 or #5 above, on February 23, 2007, a Petition to Withdraw the Holding of Abandonment with Exhibits (Second Filing) was filed. Attached as Exhibit F is a copy of the Petition to Withdraw the Holding of Abandonment (Second Filing) with Exhibits along with a copy of the stamped postcard receipt.
- 7. On November 13, 2007, the Petitions Office issued a Decision dismissing the Petition to Withdraw the Holding of Abandonment.
- 8. In response to the Decision by the Petitions Office, a Petition to Revive Unintentional Abandonment with the appropriate Amendment in response to the Office Action of April 11, 2001, was submitted on January 8, 2008.

Applicants hereby submit that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully

submitted that the revival of the subject application based upon unintentional abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action. Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit G is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application (access to which only became available for this application recently). It is noted that on April 26, 2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, as indicated in Item #2, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application. In view of this, it is questioned why the Notice of Abandonment dated March 29, 2002, was mailed to the old address.

With regard to the delay in filing the first Petition to Withdraw the Holding of Abandonment, in previous years it was not unusual that the Patent and Trademark Office would take a considerable amount of time before issuing further actions after the filing of a document, and there was no manner in which the records of the Patent and Trademark Office could be accessed to check. Thus the filing of the Request for Status on August 10, 2005, is not seen as a lack of interest in the application by the undersigned.

Based upon the facts set forth above, the undersigned submits that there were good-faith attempts made in advising the Patent and Trademark Office of the undersigned's new address and obtaining the status of the application, however the unresponsiveness on the part of the Patent and Trademark Office contributed to the delay in filing the Petition to Revive based upon unintentional abandonment.

As required in the Decision, attached hereto are Declarations for Renewed Petition to Revive Unintentionally Abandoned Patent Application by George E. Oram, Jr. and Murat Ozgu, persons having knowledge of the circumstances surrounding the unintentional abandonment of the subject application.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,

George E. Oram, Jr. Reg. No. 27,931

Customer No.: 004372 Arent Fox LLP 1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel (202) 857-6000 Fax (202) 638-4810

GEO:mmg

Encls:

Exhibit A	Page 8 of Spreadsheet submitted with e-mail communication for change of name and address
Exhibit B	Notification of Customer Number Record Change dated January 31, 2001
Exhibit C	Change of Correspondence Address sent via facsimile on August 9, 2005, w/facsimile sent acknowledgement sheet
Exhibit D	Request for Status and Information Disclosure Statement filed August 10, 2005, w/stamped postcard receipt
Exhibit E	Petition to Withdraw the Holding of Abandonment filed on October 26, 2006, w/stamped postcard receipt

Petition to Withdraw the Holding of Abandonment (Second Filing) filed on February 23, 2007, w/stamped postcard receipt Exhibit F

Exhibit G PTO Private PAIR webpage

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by George E. Oram, Jr., w/Exhibits A, B and C

Declaration for Renewed Petition to Revive Unintentionally Abandoned Patent Application by Murat Ozgu, w/Exhibits A and B

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Page 8

Drosos, Margaret

From:

Drosos, Margaret

Sent:

Tuesday, May 29, 2001 2:45 PM

To: Subject: 'Stacy.Fuller@USPTO.GOV' RE: Error Report for Customer Number 04372

OK Sorry for the error.

----Original Message----

From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV]

Sent: Tuesday, May 29, 2001 2:18 PM

To: DrososM@ARENTFOX.COM

Subject: RE: Error Report for Customer Number 04372

Thank you for your response. Unfortunately we asked that you email me the list of applications/patents that you DO NOT wish to be associated with your customer number and that you not delete any applications from the spreadsheet. I have to go to your original spreadsheet and remove the applications that you do not wish to be associated. Please resend the error report with these applications clearly noted.

Thank you for your assistance.

Stacy

> correspondence

> ----Original Message----> From: DrososM@ARENTFOX.COM [SMTP:DrososM@ARENTFOX.COM] > Sent: Tuesday, May 29, 2001 2:15 PM > To: Stacy.Fuller@USPTO.GOV > Subject: RE: Error Report for Customer Number 04372 > I have edited your error report so as to only included those applications > for Nikaido, Marmelstein, Murray & Oram. This firm at Metropolitan Square > merged with Arent Fox at the 1050 Connecticut Ave. address last year. > Thank > you for your attention to this. We have had several PTO papers returned > the PTO by Post Office, even though we have a current change of address on > file. > Margaret P. Drosos > Director of IF Administration > Arent Fox Kintner Plotkin & Kahn, PLLC > 202 857-6463 > Drososm@arentfox.com > ----Original Message----> From: Stacy.Fuller@USPTO.GOV [mailto:Stacy.Fuller@USPTO.GOV] > Sent: Tuesday, May 22, 2001 1:10 PM > To: DrososM@ARENTFOX.COM > Subject: Error Report for Customer Number 04372 > I have received your spreadsheet to associate your applications/patents > your customer number, and there are just a few more questions. There are > few files that are currently going to a different address for

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> sure that you do, in f. , want to update these files to your customer number.

> Please take a look at the attached spreadsheet, which lists the "questionable" applications. Once you have verified whether or not you wish

> to associate these applications/patents with your customer number, please mark them as such on the attached spreadsheet (i.e., yes/no) and email it back to me, or simply email me the list of applications/patents that you DO

> NOT wish to be associated with your customer number. Please DO NOT delete any applications from the spreadsheet.

> If there are NO changes to be made, you can just email me back to let me know that it is ok to associated all files with your customer number.

> <<04372Cusno Error(1, xls>> << File: Error Report.xls >>
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st st st COMMUNICATION RESULT REPORT (AUG. 9.2005 3:18PM) st st

TTI ARENT FOX DC5

FILE MODE OPTION ADDRESS (GROUP) RESULT PAGE 2572 MEMORY TX 1549#100725#09009#15712738300# OK 2/2

REASON FOR ERROR E=1) HANG UP OR LINE FAIL E=3) NO ANSWER

E-2) BUSY E-4) NO FACSIMILE CONNECTION

Facsimile

Date:

August 9, 2005

Pages (including cover):

2

Attorney #:

1549

Client/Matter#:

100725-09009

PLEASE DELIVER TO:

Name/Company

Fax#

Verify #

George E. Oram, Jr. 202.828.3455 DIRECT

202,857.6395 FAX oram.george@arentfox.com

U.S. Patent and Trademark Office

571-273-8300

MESSAGE/INSTRUCTIONS

Re:

Change of Correspondence Address

U.S. Patent Appln. S.N. 09/320,649

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED

SINTERED BEARING

By: Natsuhiko MORI et al Our Ref 100725-09009 XHIBIT



Facsimile



George E. Oram, Jr.

orami.george@arentfox.com

202.828.3455 DIRECT 202.857.6395 FAX

Date:

August 9, 2005

Pages (including cover):

r): 2

Attorney #:

1549

Client/Matter #:

100725-09009

PLEASE DELIVER TO:

Name/Company

Fax#

Verify #

U.S. Patent and Trademark Office

571-273-8300

MESSAGE/INSTRUCTIONS

Re:

Change of Correspondence Address

U.S. Patent Appln. S.N. 09/320,649

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED

SINTERED BEARING

By: Natsuhiko MORI et al Our Ref: 100725-09009

CERTIFICATE OF TRANSMISSION

I hereby certify that the attached Change of Correspondence Address is being transmitted by facsimile to the U.S. Patent and Trademark Office, facsimile number 571-273-8300 on this date of my signature.

Martina M. Galentine

August 9, 2005

(Date)

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE: 202.857.6119

This facsimile contains privileged and confidential information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the address below via the postal service. Thank you.

PTO/SB/122 (04-05)

Approv : use through 07/31/2006. OMB 0651-0035

U.S. Patent and Tradema: office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CHANGE OF **CORRESPONDENCE ADDRESS APPLICATION**

Address to: Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Application Number	09/320,649	999
Filing Date	May 27, 1999	
First Named Inventor	Natsuhiko MORI et al	
Group Art Unit	3682	
Examiner Name	L. Footland	
Attorney Docket Number	100725-09009	
		and the

Please chang	e the Correspondence Address fo	r the above-io	dentified patent a	application to:	
	The address associated with Customer Number:		004372	2	
OR					
	Firm or AREN Individual Name	IT FOX F	PLLC		
Address	1050 Connecticut Avenu Suite 400	ue, N.W.		*	
City	Washington	State E	D.C.		Zip 20036-5339
Country					
Telephone	202-857-6000		Email dcipdo	cket@arentfox	.com
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I am the:					
	Applicant/Inventor.				
	Assignee of record of the entire interest. Statement under 37 C.F.R. 3.73(b) is enclosed (Form PTO/SB/96).				
	Attorney or agent of record. Re	gistration Nu	mber: <u>27,931</u>	RECOGNISION.	
	Registered practitioner named i executed oath or declaration. S	n the applicat See 37 C.F.R.	tion transmittal le 1.33(a)(1). Reg	etter in an applicatio istration Number:	on without an
Signature	Lux El	Iram &	7	-	
Typed or Printed Name	George E. Oram, Jr.				
Date	August 9, 2005		Telephone	202-857-60	00
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, see below*.					
★Total of 1	form(s) are submitted.				

This collection of information is required by 37 C.F.R. §1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. §122 and 37 C.F.R. §1.11 and §1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Patent 💢 Tra	ademark 📙 🛮 Dock	tet No. 10	0725-09009	*
Serial No. 09/3	320,649		Filed May 2	7, 1999
Applicant(s) N	IORI, et al.			
Papers filed here	with on	Augu	st 10, 2005	-
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Receipt is hereby above-identified ca	acknowledged of the	e papers fil	ed as indicated	in connection with the
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Patent ⊠ Tra	demark Dock	et No. 100	725-09009	
Serial No. 09/3	20,649		Filed May 27	, 1999 O / A
Applicant(s) Mo	ORI, et al.			416,
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Fees \$ 18 New Application Amendment Notice of Application IDS/PTO-SR Other	ppeal	(3 , 0 0 0 1	Assignment (w Declaration Priority Docum Req. for Ext. of Drawing(s)	ent
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	G	EO:mso	ÇC	OMMISSIONER OF PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MORI, et al.

Serial No.: 09/320,649

Filed: May 27, 1999

*

Confirmation No.: Unknown

Group Art Unit: 3682

Examiner: L. Footland

REQUEST FOR STATUS

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

August 10, 2005

Sir:

For:

On May 27, 1999, the above-identified application was filed in the U. S. Patent and Trademark Office. To date, there has been no further action received since the Request for Continued Examination filed on March 23, 2001.

In view of the above, it is respectfully requested that the undersigned be provided with the current status of the subject application as soon as possible.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300.

Respectfully submitted,

George E. Oram, Jr. Attorney for Applicants Reg. No. 27,931

Atty. Docket No.: 100725-09009

Customer No.: 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel (202) 857-6000 Fax (202) 638-4810

GEO:mso

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Group Art Unit: 3682

MORI, et al.

Examiner: L. Footland

Application No.: 09/320,649

A44 - D17 A1 - 400-0-- 0000

Filed: May 27, 1999

Atty. Dkt. No.: 100725-09009

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

August 10, 2005

Sir:

For:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB08. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
 - b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- \boxtimes A check in the amount of \$180.00 in payment of the fee under 37 Please charge any fee deficiency or credit any CFR §1.17(p). overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information. 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information. a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1). I hereby certify that no item of information in this Information b. Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2). \boxtimes 4. The relevance of the non-English language reference(s) were cited in an
- 4. The relevance of the non-English language reference(s) were cited in an Office Action of corresponding Japanese application. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

Respectfully submitted,

STOMATIME ON ORIGINAL

George E. Oram, Jr. Registration No. 27,931

Customer No. 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W., Suite 400 Washington, D.C. 20036-5339

Tel: (202) 857-6000 Fax: (202) 638-4810

GEO:mso

Enclosures: Form PTO-SB08; References (6)

PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

				Ct of 18	995, no persor	is are required to respond to a collection	on of information unless it contains a valid OMB control number.
	Substitute for form 1449A/PTO						Complete if Known
INFORMATION DISCLOSURE						Application Number	09/320,649
						Filing Date	May 27, 1999
STATEMENT BY APPLICANT Form PTO/SB/08a					AN I	First Named Inventor	MORI, et al.
						Art Unit	3682
						Examiner Name	L. Footland
Sheet	1	-	of	1	-	Attorney Docket Number	100725-09009

			U.S. P.	ATENT DOCU	MENTS	
Examiner Initials*	Cite No.1	Document Number	Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	Cite No.1	Foreign Patent Document	Country Code ³	Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T€
		09-217735	JP		8/19/1997	Sankyo Seiki MFG Co., Ltd.		AB
		09-316210	JP		12/9/1997	NTN Corp.		AB
		08-266007	JP		10/11/1996	Sankyo Seiki MFG Co., Ltd.		AB
		05-255685	JP		10/5/1993	NTN Corp.		AB
		06-264926	JP		9/20/1994	Sankyo Seiki MFG Co., Ltd.		AB
(4)		09-087652	JP		3/31/1997	Kyodo Yushi KK, Nippon Steel Corp., Nippon Steel Chem Co., Ltd.	, -	АВ
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Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code. ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.

Patent 🛚	Trademark 🗌	Docket No.	100725-09009
Serial No.	09/320,649	1	Filed May 27, 1999
Applicant(s)	Natsuhiko MC	ORI et al	
Papers filed h	nerewith on	E O	ctober 23, 2006
Amend Notice	O-SB08	2 3 2006 E	☐ Assignment (w/PTO-1595 Form) ☐ Declaration ☐ Priority Document ☐ Req. for Ext. of Time ☐ Drawing(s) of Abandonment (3 pgs.); Exhibit A - copy
	PAIR page from U Spreadsheet of Ma	 	xhibit B - E-mail communication along with
	ereby acknowledg		ers filed as indicated in connection with the

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EXHIBIT and an annual and an an an an an

COMMISSIONER OF PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 3682

Natsuhiko MORI et al

Examiner: L. Footland

Serial No.: 09/320,649

Atty. Docket No.: 100725-09009

Filed: May 27, 1999

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

October 23, 2006

Sir:

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action. Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit A is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application. It is noted that on April 26,

2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit B is the e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 8 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

Based upon the facts set forth above, the undersigned attempted to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the non-final Office Action was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the non-final Office Action, a response was not filed. Thus it is submitted that the failure to properly respond to the outstanding non-final Office Action resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding of abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,

George E. Oram, Jr. Attorney for Applicants

Reg. No. 27,931

Customer No.: 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel (202) 857-6000 Fax (202) 638-4810

CMM:mmg

Encls:

Exhibit A Copy of Private PAIR Page from the U.S. Patent and Trademark Office

website

Exhibit B E-mail communication along with page 8 of Spreadsheet of May 22, 2001

Patent 🛚	Trademark 🗌	Docket No.	100725-0	9009
Serial No.	09/320,649		Filed	May 27, 1999
Applicant(s)	Natsuhiko MOR	ll et al		
Papers filed	herewith on	STPEN FO	ebruary 23,	2007
Ameno Notice	pplication /	EB 2 3 2007	Declara Priority Req. for Drawing	Document Ext. of Time
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Group Art Unit: 3682

Natsuhiko MORI et al

Examiner: L. Footland

Serial No.: 09/320,649

Atty. Docket No.: 100725-09009

Filed: May 27, 1999

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT (SECOND FILING)

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

February 23, 2007

Sir:

On October 23, 2006, the undersigned filed a Petition to Withdraw the Holding of Abandonment in the subject application. A copy of the stamped postcard indicating receipt of the Petition by the Patent and Trademark Office on October 23, 2006, is enclosed. As the records of Private PAIR do not show this Petition as being received, it would appear that the Petition has been lost by the Patent and Trademark Office. Included in this submission is the Petition to Withdraw the Holding of Abandonment with Exhibits A and B as filed on October 23, 2006.

Applicants hereby petition that the holding of abandonment of the above-identified application be withdrawn. It is submitted that the abandonment of the above-identified application resulted from the Patent and Trademark Office's failure to mail the non-final Office Action to the correct address. Since the failure to file a response to the non-final Office Action resulted from a Patent and Trademark Office error, it is respectfully submitted that the withdrawal of the holding of abandonment is proper.

The abandonment of the above-identified application on March 29, 2002, resulted from Applicant's failure to respond to an outstanding non-final Office Action.

Applicants did not respond to the non-final Office Action because Applicants never received the non-final Office Action. Applicants' attorneys have made a careful search of the entire file jacket for the subject application and the non-final Office Action was not present. A review of the docket records also indicate that the non-final Office Action was never received.

Attached as Exhibit A is a copy of the private PAIR page from the U.S. Patent and Trademark Office website for the subject application. It is noted that on April 26, 2001, there is a notation stating "Correspondence Address Change". Also on that date there are two separate notations of a "Letter Restarting Period for Response" and "Mail Notice of Restarted Response Period". It is respectfully submitted that the undersigned did not receive either of these papers, although it appears that a change to the correspondence address was received and made of record, prior to these papers being sent out.

In addition, the undersigned submitted by e-mail on or about May 22, 2001, a spreadsheet listing applications for which the undersigned's address was to be changed. Exhibit B is the e-mail correspondence between Margaret Drosos, the patent administrator of Applicants' firm, and Stacy Fuller of the Patent and Trademark Office. Also included is a copy of page 8 of the spreadsheet which lists the above-identified application. Upon submission of the change of address, the Patent and Trademark Office should have changed the mailing address for the above-identified application.

Based upon the facts set forth above, the undersigned attempted to advise the Patent and Trademark Office of its change of address. It appears, however, that this change of address was not entered in the above-identified application and the non-final Office Action was mailed to the undersigned's old address and was never received by the undersigned. Since the undersigned did not receive the non-final Office Action, a response was not filed. Thus it is submitted that the failure to properly respond to the outstanding non-final Office Action resulted from the failure of the Patent and Trademark Office to change the undersigned's address and that the abandonment of the application was a consequence of the Patent and Trademark Office's failure to change the address. It is therefore submitted that withdrawal of the holding of

abandonment of the above-identified application is proper and this petition should be granted.

In the event that any fees are due with respect to this paper, please charge our Deposit Account No. 01-2300, referencing Atty. Docket No. 100725-09009.

Respectfully submitted,

George E. Oram, Jr. Attorney for Applicants

Reg. No. 27,931

Customer No.: 004372 Arent Fox PLLC 1050 Connecticut Avenue, N.W. Suite 400 Washington, D. C. 20036-5339 Tel (202) 857-6000 Fax (202) 638-4810

GEO:mmg

Encls:

Copy of Stamped Postcard Receipt of October 23, 2006

Exhibit A Copy of Private PAIR Page from the U.S. Patent and Trademark Office website

Exhibit B E-mail communication along with page 8 of Spreadsheet of May 22, 2001



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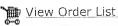
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09/320,649

HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING



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Application Transaction Image File. Data History Wrapper

Foreign Address & Assignments Publication Priority Attorney/Agent Review

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Date	Transaction Description	
03-31-2008	Mail-Petition Decision - Dismissed	
03-28-2008	Petition Decision - Dismissed	
01-08-2008	Petition Entered	
11-14-2007	Mail-Petition Decision - Dismissed	
11-13-2007	Petition Decision - Dismissed	
02-23-2007	Petition Entered	
08-10-2005	Information Disclosure Statement (IDS) Filed	
08-10-2005	Information Disclosure Statement (IDS) Filed	
08-18-2005	Correspondence Address Change	
03-29-2002	Mail Abandonment for Failure to Respond to Office Action	
03-28-2002	Abandonment for Failure to Respond to Office Action	
04-26-2001	Mail Notice of Restarted Response Period	
04-26-2001	Letter Restarting Period for Response (i.e. Letter re: References)	
→ 04-26-2001	Correspondence Address Change	
04-11-2001	Mail Non-Final Rejection	
	Non-Final Rejection	
03-23-2001	Information Disclosure Statement (IDS) Filed	
03-23-2001	Information Disclosure Statement (IDS) Filed	
03-23-2001	Preliminary Amendment	
03-28-2001	Date Forwarded to Examiner	
03-23-2001	Request for Continued Examination (RCE)	
03-23-2001	Workflow - Request for RCE - Finish	
03-23-2001	Mail Express Abandonment (During Examination)	
03-23-2001	Express Abandonment (during Examination)	
03-23-2001	Request for Extension of Time - Granted	
03-23-2001	Workflow - Request for RCE - Begin	
11-30-2000	Mail Final Rejection (PTOL - 326)	
11-30-2000	Final Rejection	
09-28-2000	Date Forwarded to Examiner	
09-26-2000	Response after Non-Final Action	
06-30-2000	Mail Non-Final Rejection	
06-29-2000	Non-Final Rejection	
04-28-2000	Case Docketed to Examiner in GAU	4 6
09-14-1999	Case Docketed to Examiner in GAU	The second state of the second
08-26-1999	Application Dispatched from OIPE	

08-25-1999	Application Is Now Complete
06-24-1999	Notice MailedApplication IncompleteFiling Date Assigned
06-16-1999	IFW Scan & PACR Auto Security Review
06-04-1999	Initial Exam Team nn

If you need help:

• Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent Application Information Retrieval (PAIR).

Send general questions about USPTO programs to the USPTO Contact Center (UCC).

• If you experience technical difficulties or problems with this application, please report them via e-mail to Electronic Business Support or call 1 800-786-9199.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Natsuhiko MORI et al.

Application No.: 09/320,649

Filed: May 27, 1999 Attorney Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

DECLARATION FOR RENEWED PETITON TO REVIVE UNINTENTIONALLY ABANDONED PATENT APPLICATION

Sir:

I, the undersigned, hereby declare the following:

- 1. I am a partner of the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the first full paragraph on page 2 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated March 31, 2008.
- 2. I have been a partner at Arent Fox since January 1, 2000. From before January 1, 1999 through December 31, 1999, I was a partner of Nikaido, Marmelstein, Murray & Oram. I became a partner of Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram merging into Arent Fox on January 1, 2000.
- 3. At the time the application was filed on May 27, 1999, by virtue of a properly executed Declaration filed on August 19, 1999, I was authorized to file the application and did so. Attached as Exhibit A is a copy of the properly executed Declaration.

- 4. No effort was made to reply to either the April 11, 2001 mailed Non-Final Office Action or the Notice of Restarted Response Period mailed April 26, 2001 because I never received either document. I believe the April 11, 2001 Office Action, and the April 26, 2001 Notice to Restarted Response Period, were mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that the Patent Office noted a change in the correspondence address on April 26, 2001. Attached as Exhibit B is a copy of the PTO Private PAIR Transaction history webpage indicating the dates the above-described documents were mailed in relation to the change in correspondence address. It is believed that this may be the correction of address for Arent Fox. Since Image File is not available for this period of time, I am unable to tell what is there.
- 5. The delay in this application is not the result of a deliberate course of action (or inaction) on my part because having never received the Office Action, I never knew that the Office Action was mailed on April 11, 2001 for this application after the March 23, 2001 filing of an RCE in the Patent Office. I also never knew that a Notice of Restarted Response Period was mailed on April 26, 2001 after the Office Action because I never received such a document either.
- 6. The application became abandoned under my control because I never received the documents mailed by the Patent Office in April of 2001. As such, no efforts were made by myself to reply to the documents mailed in April of 2001 by the Patent Office. I did not direct anyone else to reply for the same reasons. Consequently, I had no conversations or correspondence with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.
- 7. The first correspondence in this application subsequent to the filing of the RCE on March 23, 2001 is a letter from the Japanese Associate Office for this application dated August 1, 2005 requesting that an Information Disclosure Statement be filed. The only other correspondence is our reporting letter telling the Japanese Associate Office that the IDS had been filed on August 10, 2005.

Attorney Docket No. 100725-09009 Serial No. 09/320,649

Attached as Exhibit C are both letters.

8. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm

on December 31, 1999, and the application apparently became abandoned on

October 26, 2001 while under the responsibility of the attorneys at Arent Fox, I am

not aware of anyone at Nikaido, Marmelstein, Murray & Oram that is qualified or

skilled enough to make a statement regarding this patent application becoming

abandoned.

9. I believe the persons having first hand knowledge of the circumstances

surrounding the failure of the Patent Office to properly mail documents to the correct

correspondence address, despite having such information, and the patent

application becoming abandoned for failure to reply to Patent Office documents that

were never received, are myself and Mr. Murat Ozgu.

10. I affirm the statements made in the paragraphs numbered 1 – 8 in the

concurrently filed Renewed Petition under 37 C.F.R. 1.137(b).

11. The undersigned Declarant does hereby declare that all statements

made herein of my own knowledge are true and that all statements made on

information and belief are believed to be true; and further that these statements

were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the

United States Code and that such willful false statements may jeopardize the validity

of the application or any patent issued thereon.

George E. Orlam, Jr.

Registration Number: 27,931

Date: frac 2 2008

Enclosures: Exhibit A

Declaration executed by inventors

Exhibit B

PTO Private PAIR webpage

Exhibit C

Letters of August 1 and 10, 2005

Declaration For U.S. Patent Application

insert Tit		ice address and citizenship are as sinal, first and sole inventor (if only of the subject matter which is clarify DRODYNAMIC TYPE OIL-IM				n entitled	
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George Goldhus No. 37, Patrick	E. Oram, J sh, Reg. No 500; Karen I D. Muir, Re	int as principal attorneys: David r., Reg. No. 27,931; Robert B. Mo. 33,125; Monica Chin Kitts, Reg. K. Costantino, Reg. No. 35,107; Jar. eg. No. 37,403.	ess: NIKAII Metrop 655 Fif Washin	DO, MARMELSTI olitan Square teenth Street, N.W.	in, Reg. No. 39,107; 14; Herbert C. Rose, EIN, MURRAY & O ., Suite 330 - G Stree 5701	King L. Wong Reg. No. 29,84	Reg.
George Goldhus No. 37., Patrick Please G	E. Oram, J sh. Reg. No 500; Karen I D. Muir, Re direct all con y declare that leved to be to	r., Reg. No. 27,931; Robert B. M. 33,125; Monica Chin Kitts, Reg. K. Costantino, Reg. No. 35,107; Jar. eg. No. 37,403.	ess: NIKAII Metrop 655 Fif Washin (202) 6 wn knowledge tts were made	DO, MARMELST olitan Square reenth Street, N.W. ugton, D.C. 20005-38-5000 Fax: (202) are true and that al with the knowledge 1001 of Title 18 of	in, Reg. No. 39,107; 14; Herbert C. Rose, EIN, MURRAY & O ., Suite 330 - G Stree 5701) 638-4810 Il statements made on e that willful false sta the United States Coo	King L. Wong Reg. No. 29,84 RAM LLP et Lobby information and terments and the	, Reg. 6; and i belief like so
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Full name of second joint inventor, if any <u>Katsumi NAGANO</u>	
inventor's signature <u>Katsumi NAGANO</u>	27 July, 1999 Date
Residence Tokyo-to, Japan	
Citizenship Japanese	
Post Office Address <u>c/o NIPPON STEEL CHEMICAL CO., LTD., 31-</u>	1. Shinkawa 2-chome, Chuo-ku, Tokyo-to, Japan
Full name of third joint inventor, if any Yoshihiko OEDA	27 7-1 1000
Inventor's signature Yoshihiko OFDA	2000
Residence Tokyo-to, Japan	
Citizenship Japanese	
Post Office Address <u>c/o NIPPON STEEL CHEMICAL CO., LTD., 31</u>	1. Shinkawa 2-chome, Chuo-ku, 10kvo-to, Japan
Full name of fourth joint inventor, if any	
-	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of fifth joint inventor, if any	
Inventor's signature	
Residence	Date
Citizenship	
Post Office Address	
Fost Office Address	
Full name of sixth joint inventor, if any	
Inventor's signature	
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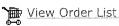
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Mail-Petition Decision - Dismissed	
28-2008 Petition Decision - Dismissed	
08-2008 Petition Entered	
14-2007 Mail-Petition Decision - Dismissed	
13-2007 Petition Decision - Dismissed	
23-2007 Petition Entered	
10-2005 Information Disclosure Statement (IDS) Filed	
10-2005 Information Disclosure Statement (IDS) Filed	
18-2005 Correspondence Address Change	
29-2002 Mail Abandonment for Failure to Respond to Office Action	
28-2002 Abandonment for Failure to Respond to Office Action	
26-2001 Mail Notice of Restarted Response Period	
26-2001 Letter Restarting Period for Response (i.e. Letter re: References)	
26-2001 Correspondence Address Change	
11-2001 Mail Non-Final Rejection	
11-2001 Non-Final Rejection	
23-2001 Information Disclosure Statement (IDS) Filed	
23-2001 Information Disclosure Statement (IDS) Filed	
23-2001 Preliminary Amendment	
28-2001 Date Forwarded to Examiner	
23-2001 Request for Continued Examination (RCE)	
23-2001 Workflow - Request for RCE - Finish	
23-2001 Mail Express Abandonment (During Examination)	
23-2001 Express Abandonment (during Examination)	
23-2001 Request for Extension of Time - Granted	
23-2001 Workflow - Request for RCE - Begin	
30-2000 Mail Final Rejection (PTOL - 326)	•
30-2000 Final Rejection	
28-2000 Date Forwarded to Examiner	
26-2000 Response after Non-Final Action	
30-2000 Mail Non-Final Rejection	
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26-1999 Application Dispatched from OIPE	

08-25-1999	Application Is Now Complete
06-24-1999	Notice MailedApplication IncompleteFiling Date Assigned
06-16-1999	IFW Scan & PACR Auto Security Review
06-04-1999	Initial Exam Team nn

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail EBC@uspto.gov for specific questions about Patent Application Information Retrieval (PAIR).
- Send general questions about USPTO programs to the <u>USPTO Contact Center (UCC)</u>.
- If you experience technical difficulties or problems with this application, please report them via e-mail to Electronic Business Support or call 1 800-786-9199.

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EHARA PATENT OFFICE

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MINORU EHARA 1904-1984 SYOGO EHARA HIDEYOSHI TANAKA YOSHIYUKI SHIRAISHI KUNIHIKO SHIROMURA TSUYOSHI KUMANO HIROAKI YAMANE OSAKA SHOKO BUILDING 15-26, EDOBORI 1-CHOME, NISHI-KU OSAKA 550-0002 JAPAN TELEPHONE(6)6443-9541
FACSIMILE(6)6443-9544

E-MAIL
info@ehara-pat.gr.jp

August 1, 2005

Arent Fox Kintner Plotkin & Kahn PLLC 1050 Connecticut Avenue, N.W., Suite 400 Washington, D.C. 20036-5339 U.S.A.

AUG 0 2 2005

Re: U.S. Patent Application No. 09/320,649

By: MORI et al.

Your Ref: 100725-09009

Our Ref: FP99-003US

Dear Sirs,

Enclosed are copies of JP09-217735, JP09-316210, JP08-266007, JP05-255685, JP06-264926, JP09-087652 cited in an Office Action of corresponding Japanese application, which are intended for filing in this case in order to comply with the duty to disclose.

Please proceed with the filing of IDS.

Sincerely yours,

EHARA PATENT OFFICE

Alis 6.2 2005

-/W

Syogo Ehara

Enclosures



August 10, 2005

George E. Oram, Jr. 202.828.3455 DIRECT 202.857.6395 FAX oram.george@arentfox.com

Mr. Syogo Ehara Ehara Patent Office Osaka Shoko Building 15-26, Edobori 1-chome Nishi-ku, Osaka 550-0002, Japan

Re:

Information Disclosure Statement

U.S. Patent Appln. S.N. 09/320,649

By: MORI, et al.

Your Ref: FP99-003US Our Ref: 100725-09009

Dear Mr. Ehara:

Thank you for your letter of August 1, 2005, enclosing the materials for filing an Information Disclosure Statement in the subject application. Enclosed are two copies of the Information Disclosure Statement which we prepared and filed in the Patent and Trademark Office on August 10, 2005.

Our debit note for services and disbursements in this regard will be sent to you shortly with a billing copy of this letter. We will keep you advised of the progress of this application.

Very truly yours,

DEMORPH ON ORIGINAL

George E. Oram, Jr.

GEO:mso

Enclosure:

Information Disclosure Statement (2)

EXHIBIT C.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Natsuhiko MORI et al.

Application No.: 09/320,649

Filed: May 27, 1999 Attorney Dkt. No.: 100725-09009

For: HYDRODYNAMIC TYPE OIL-IMPREGNATED SINTERED BEARING

DECLARATION FOR RENEWED PETITON TO REVIVE UNINTENTIONALLY ABANDONED PATENT APPLICATION

Sir:

- I, the undersigned, hereby declare the following:
- 1. I am a partner at the law firm of Arent Fox, LLP, having an office at 1050 Connecticut Avenue, N.W., Washington, D.C. 20036, and am submitting this Declaration in response to the comments in the first full paragraph on page 2 of the Decision on Petition to Revive Unintentional Abandonment under 37 C.F.R. §1.137(b) dated March 31, 2008.
- 2. I have been a partner at Arent Fox since January 1, 2006. From January 1, 2000 through December 31, 2005, I was an associate at Arent Fox. From July 17, 1999 through December 31, 1999, I was an associate at Nikaido, Marmelstein, Murray & Oram. I became an associate at Arent Fox effective immediately upon Nikaido, Marmelstein, Murray & Oram mergining into Arent Fox on January 1, 2000.
- 3. At the time the application was filed on May 27, 1999, by virtue of a properly executed Declaration filed on August 19, 1999, I was authorized to file a reply to the April 11, 2001 mailed Non-final Office Action on behalf of the applicant of the above-identified patent application. Attached as Exhibit A is a copy of the properly executed Declaration.

Attorney Docket No. 100725-09009 Serial No. 09/320,649

- 4. No effort was made to reply to either the April 11, 2001 mailed Non-Final Office Action or the Notice of Restarted Response Period mailed April 26, 2001 because I never received either document. I believe the April 11, 2001 Office Action, and the April 26, 2001 Notice to Restarted Response Period, were mailed to the wrong address, that is, the address where Nikaido, Marmelstein, Murray & Oram was located prior to moving to the address where Arent Fox is located, despite the fact that the Patent Office noted the change in the correspondence address on April 26, 2001. Attached as Exhibit B is a copy of the PTO Private PAIR wbpage indicating the dates the above-described documents were mailed in relation to the change in correspondence address.
- 5. The delay in this application is not the result of a deliberate course of action (or inaction) on my part because having never received the Office Action, I never knew that the Office Action was mailed on April 11, 2001 for this application after the March 23, 2001 filing of an RCE in the Patent Office. I also never knew that a Notice of Restarted Response Period was mailed on April 26, 2001 after the Office Action because I never received such a document either.
- 6. The application became abandoned under my control because I never received the doucments mailed by the Patent Office in April of 2001. As such, no efforts were made by myself to reply to the documents mailed in April of 2001 by the Patent Office. Consequently, I had no conversations with anyone outside of the attorneys of Arent Fox regarding this patent application and the abandonment thereof.
- 7. Since Nikaido, Marmelstein, Murray & Oram ceased to exist as a law firm on December 31, 1999, and the application apparently became abandoned on October 26, 2001 while under the responsibility of the attorneys at Arent Fox, I am not aware of anyone at Nikaido, Marmelstein, Murray & Oram that is qualified or skilled enough to make a statement regarding this patent application becoming abandoned.

- 8. I believe the persons having first hand knowledge of the circumstances surrounding the failure of the Patent Office to properly mail documents to the correct correspondence address, despite having such information, and the patent application becoming abandoned for failure to reply to Patent Office documents that were never received, are myslef and Mr. George E. Oram, Jr.
- 9. The undersigned Declarant does hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Murat OZGU/ Registration Number: 44,275

Enclosures:

Exhibit A

Declaration executed by inventors

Exhibit B PTO Private PAIR webpage

N, M, M & O Docket No. <u>P725-9009</u>

Declaration For U.S. Patent Application

	I am the ori	office address and c iginal, first and sole ow) of the subject n HYDRODYNAM	e inventor (if only one n	ame is listed to and for which	elow) or an a natent is so	ought on the hiven	joint inventor (tion entitled	f plural
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Full name of second joint inventor, if any Katsumi NAGANO	
Inventor's signature <u>Katsumi</u> NAGANO	27 July, 1999 Date
Residence Tokyo-to, Japan	
Citizenship Japanese	
Post Office Addressc/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, Cl	nuo-ku, Tokyo-to, Japan
Full name of third joint inventor, if anyYoshihiko OEDA	
Inventor's signature Yosh'hiko OEDA	27 July, 1999 Date
Residence Tokyo-to, Japan	
Citizenship Japanese	
Post Office Address <u>c/o NIPPON STEEL CHEMICAL CO., LTD., 31-1, Shinkawa 2-chome, C</u>	nuo-ku, Tokyo-to, Japan
Full name of fourth joint inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of fifth joint inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of sixth joint inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of seventh joint inventor, if any	
Inventor's signature	Date
Residence	
Citizenship	
Post Office Address	
Full name of eighth joint inventor, if any	
Inventor's signature	Date
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Full name of ninth joint inventor, if any	
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